



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents

FROM: Tony Lofrumento *Anthony Lofrumento Jr*

SUBJECT: Summary of the September 2020 Meeting

DATE: October 8, 2020

AUTHORIZATION(S): *Bellamy*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the September 2020 Meeting of the Board of Regents?

Reason(s) for Consideration

Not applicable.

Proposed Handling

This issue will come before the Full Board for action at its October 2020 meeting.

Procedural History

This document summarizes the actions of the Board of Regents during the monthly meeting and is brought before the Board the following month for approval.

Background Information

Not applicable.

Related Regents Items

Not applicable.

Recommendation

Approval of the Summary of the September 2020 meeting.

VOTED, that the Summary of the September 2020 Meeting of the Board of Regents of The University of the State of New York be approved.

Timetable for Implementation

Effective October 19, 2020.



**SUMMARY OF THE SEPTEMBER 2020 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK
*Held by Video Conference***

September 14, 2020

***Anthony Lofrumento, Secretary
Board of Regents***

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session by video conference on Monday, September 14, 2020 at 9:15 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, September 14th at 9:15 a.m.

Board Members in Attendance:

T. Andrew Brown, *Vice Chancellor*
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn (joined during Executive Session)
Judith Chin
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler
Frances G. Wills

Also present were Interim Commissioner, Betty A. Rosa; Acting Counsel and Deputy Commissioner for Legal Affairs, Aaron Baldwin; and, Secretary, Board of Regents, Anthony Lofrumento. Regent Beverly L. Ouderkirk was absent and excused.

Vice Chancellor Brown called the meeting to order and reviewed ground rules for the video conference.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday, September 19th at 9:20 a.m. to discuss litigation and personnel matters.

Motion by: Regent Roger Tilles
Seconded by: Regent Judith Chin
Action: Motion carried. Regent Josephine Victoria Finn was absent for this vote.

Vice Chancellor Brown adjourned the meeting. The Board went into Executive Session.

Vice Chancellor Brown called the meeting to order at 10:15 a.m.

Regent Roger Tilles provided words of reflection.

PRESENTATIONS

Announcement of the Marge A. Tierney Memorial Scholarship Award Winner

The 2020 Marge A. Tierney Scholarship was awarded by Interim Commissioner Rosa to Nia Williams of Bronx, New York (Attachment I.)

Announcement of the 2021 Teacher of the Year

Vice Chancellor Brown and Interim Commissioner Rosa opened the Teacher of the Year Awards (Attachment I and II.)

Regent Elizabeth S. Hakanson introduced finalist Sara Bambino, who teaches English in the North Syracuse Central School District in 1990. She also teaches an elective course titled *Team Building and Emotional Intelligence*, which she developed herself.

Regent Josephine Victoria Finn introduced finalists James Brown and Chelsea Dyer. Mr. Brown is a teacher in the South Colonie Central School District and began teaching in 1993. He currently teaches renewable energy to 5th graders and robotics and programming to 6th graders.

Ms. Dyer teaches in the East Greenbush Central School District. Since 2008, she has shared her enthusiasm for reading, writing, and creative expression with all her students. Her work with the Capital District Writing Project has encouraged her students to value writing in and out of the classroom setting.

Regent Roger Tilles introduced finalist Victoria Gentile. Since 2002, Ms. Gentile has served as a special educator and behavior specialist in the Kings Park Central School District. She is a certified special education teacher and licensed behavior analyst.

Regent Tilles then presented the Teacher of the Year for 2021 Jennifer Wolfe, of the Oceanside Union Free School District. Ms. Wolfe is also the Director of the Long Island National Board Network and is a National Board-Certified teacher in Adolescent and Young Adult Social Studies and has earned numerous prestigious awards.

She also co-created the Long Island Teacher Leadership Powered by Teach to Lead Conference bringing together educators to work on special projects for their districts. Ms. Wolfe also received the Commissioner Thomas Sobol Award and the David Johnson Award.

Vice Chancellor Brown introduced Jolene DiBrango, Executive Vice President, New York State United Teachers (NYSUT). Ms. DiBrango addressed the Board and the 2021 Teacher of the Year and finalists.

Vice Chancellor Brown invited Ms. Wolfe to provide remarks to the Board.

Vice Chancellor Brown introduced the 2020 Teacher of the Year, Rachel Murat to speak as to her experience as Teacher of the Year.

Reopening of Schools Update

Interim Commissioner Rosa, Kim Wilkins and William Murphy provided an update on the reopening of schools (Attachment III).

ACTION ITEMS

**Proposed Amendments to Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 801.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 1542.3, 175.5, 200.4, 200.5, 200.7, 200.20 and 275.8 and addition of Section 279.5 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
BR (A) 6**

MOVED, that Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 7910.3, 79-11.3, 79-12.3, 80-1.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20 be amended and Section 275.8 be added, as submitted, as an emergency measure, effective September 15, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID19 crisis.

Motion by: Regent Catherine Collins
Seconded by: Regent Kathleen M. Cashin
Action: Motion carried unanimously.

**Proposed Amendments to Sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 and addition of Section 80-5.27 to the Regulations of the Commissioner of Education Relating to Addressing the COVID19 Crisis
BR (A) 3**

MOVED, that Sections 52.21, 60.6, 61.19(b), 80-3.7, 80-1.2(b), 151-1.3(b), 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 be amended and a new section 805.27 be added, as submitted, as an emergency measure, effective September 15, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis and to ensure that the emergency action taken at the July meeting remains continuously in effect.

Motion by: Regent Catherine Collins
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

**Proposed Amendments to Sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154-2.2, 154-2.3, 156.3, and 200.4 of the Regulations of the Commissioner of Education Relating to Addressing the COVID19 Crisis and the Reopening of Schools
BR (A) 8**

MOVED, that sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154-2.2, 154-2.3, 156.3, and 200.4 be amended, as submitted, as an emergency measure, effective October 12, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools and to ensure the emergency action taken at the July 2020 Regents meeting remains continuously in effect.

Motion by: Regent Catherine Collins
Seconded by: Regent Frances G. Wills
Action: Motion carried unanimously.

**Proposed Amendments to Sections 52.21, 79-8.5, 100.5, and 154-2.3 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis and the Reopening of Schools
BR (A) 7 - REVISED**

MOVED, that Sections 52.21, 79-8.5, 100.5, and 154-2.3 be amended, as submitted, as an emergency measure, effective September 15, 2020, upon a finding by

the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools (Attachment IV).

Motion by: Regent Catherine Collins
Seconded by: Regent Judith Chin
Action: Motion carried. Regent Kathleen M. Cashin was absent for this vote.

DISCUSSION ITEM

Proposed Amendment to Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Requirement Reporting Deadlines BR (D) 1

Brian Cechnicki presented a proposed amendment to Section 170.14 of the Commissioner's Regulation to provide administrative flexibility in establishing the annual submission deadline for school districts.

PRESENTATION

Advanced Placement (AP) and International Baccalaureate (IB) Course and Performance Report

Kim Wilkins and Rose LeRoy presented the purpose, components, operability and initial reflection for future considerations of the new "AP/IB Report" to be released on the Department's public data site, data.NYSED.Gov (Attachment V).

ACTION ITEMS

Proposed Amendment of Section 135.4 of the Regulations of the Commissioner of Education Relating to Eligibility for Participation of Students Who Have Individualized Education Programs (IEPs) or Section 504 of the Rehabilitation Act of 1973 or Americans with Disabilities Act (ADA) Plans in Interschool Competition and Inclusive Athletic Activities BR (A) 4

MOVED, that Section 135.4 is amended, as submitted, effective September 15, 2020 as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to immediately

clarify that schools and associations, etc., are not precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an IEP under the IDEA or an approved 504 or ADA plan, are not registered in the equivalent of three regular courses and to ensure that the emergency action taken at the July meeting remains in effect until the proposed rule can be permanently adopted.

Motion by: Regent Christine D. Cea
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously.

DISCUSSION ITEM

Proposed Amendment of Part 49 of the Commissioner’s Regulations Relating to the Authorization of New York Higher Education Institutions to Participate in the State Authorization Reciprocity Agreement (SARA) and the Approval of Out-of-State Institutions to Provide Distance Education to New York Residents BR (D) 2

Leslie Templeman discussed a proposed regulatory amendment to clarify language and align the requirements of the Board of Regents to changes made in federal regulations and the standards and policies of the National State Authorization Reciprocity Agreement (SARA).

PRESENTATION

2021-2022 Non-State Aid Budget and Legislative Initiatives

Phyllis Morris and Jennifer Trowbridge presented the review and approval process for the next two months (Attachment VI).

2020-2021 Division of Budget Financial Plan Update

Phyllis Morris reviewed the Division of the Budget’s (DOB’s) FY 2021 First Quarterly State Budget Financial Plan Update, DOB’s withholding of 20 percent of most local assistance payments and DOB’s anticipated timeframe for transmitting a detailed aid-to-localities reduction plan to the Legislature (Attachment VII).

DISCUSSION ITEM

Proposed Addition of Section 72.6 of the Regulations of the Commissioner of Education Relating to Continuing Education Requirements for Psychologists

BR (D) 3

David Hamilton discussed a proposed amendment to conform the Commissioner's Regulations to Chapter 463 of the Laws of 2018, which amends the Education Law, effective January 1, 2021, to require psychologists to complete 36 hours of Continuing Education during each of their registration periods.

ACTION ITEMS

**Appointment to the Position of Executive Secretary, State Board for Chiropractic
BR (A) 5**

MOVED, that the Board of Regents approve the appointment of Dolores Cottrell as the Executive Secretary to the State Board for Chiropractic.

Motion by: Regent James E. Cottrell
Seconded by: Regent Catherine Collins
Action: Motion carried unanimously.

**Charter Applications
BR (A) 1**

MOVED, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I).

**Summary of the July and August 2020 Meetings of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the July and August 2020 Meetings of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Christine D. Cea
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Higher Education

**Conferral of Degrees: Glasgow Caledonian New York College
BR (CA) 1**

MOVED, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Glasgow Caledonian New York College the respective degree as listed below.

Glasgow Caledonian New York College

The following students have completed the requirements for the Master of Science (M.S.) award:

Addomah-Gyabaah, Adwoa
El Hassani, Andrea
Lupo, Mia Anna Rose
Prast, Ashley
Scott, Mallory Autumn
Scott, Wesley
Sweeney, Frances

**Mercy College, Manhattan Campus: Master Plan Amendment to Offer a Bachelor of Science (B.S.) Degree Program in Computer Science
BR (CA) 2**

MOVED, that the Board of Regents approve a master plan amendment to authorize Mercy College to offer its first bachelors-level program in the Physical Sciences discipline area at the Manhattan Campus, a Bachelor of Science (B.S.) in Computer Science. The amendment will be effective until September 15, 2021, unless the Department registers the program prior to that date, in which case, the master plan amendment shall be without term.

P-12 Education

**Proposed Amendments to Sections 60.10, 80-1.2, 80-4.3, 804.4, 80-5.6, 100.2, 100.5, 100.7, 100.10, 110.4, 119.4, 121.5, 135.4, 145-2.15 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
BR (CA) 3**

MOVED, that Sections 60.10, 80-1.2, 80-4.3, 80-4.4, 80-5.6, 100.2, 100.5, 100.7, 100.10, 110.4, 119.4, 121.5, 135.4, and 145-2.15 be amended, as submitted, effective September 30.

**Proposed Amendment to Section 100.7(h) of the Regulations of the Commissioner of Education Relating to Alternative High School Equivalency Preparation and Alternative Transition Programs
BR (CA) 4**

MOVED, that section 100.7(h) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 30, 2020.

**Petition of the City School District of the City of Schenectady for Consent to Exceed the Constitutional Debt Limit
BR (CA) 5**

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Schenectady in an amount not to exceed \$64,500,000 for a capital project consisting of the reconstruction and construction of improvements to School District facilities, including incidental costs and expenses in connection therewith, in excess of the constitutional debt limit of said school district.

Professional Practice

**(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels
BR (CA) 6**

MOVED, that Board of Regents approve the proposed (re)appointments.

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 7**

MOVED, that the Board of Regents approve the recommendations of the Committee on the Professions regarding the degree conferrals.

**Proposed Amendment to Section 64.1 of the Regulations of the Commissioner of Education Relating to the Professional Study of Nursing
BR (CA) 8**

MOVED, that section 64.1 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 30, 2020.

**Proposed Amendment to Section 70.4 of the Regulations of the Commissioner of Education Relating to Licensing Examinations in the Profession of Public Accountancy
BR (CA) 9**

MOVED, that section 70.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective, September 30, 2020.

Rochester General College of Health Careers: Master Plan Amendment to offer the Associate in Applied Science (A.A.S.) Program in Nursing

BR (CA) 10

MOVED, that the Board of Regents approve the master plan for RGCCHC to confer the A.A.S. degree on qualified graduates of the registered nursing program.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Christine D. Cea
Seconded by: Regent Fran G. Wills
Action: Motion passed. Regent Catherine Collins abstained on the vote for BR (CA) 7.

STANDING COMMITTEE REPORT

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on September 14, 2020. All members participated in the meeting by video conference call. Vice Chancellor T. Andrew Brown also participated but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 55 consent order applications and 19 surrender applications be granted, with Regent Catherine Collins abstaining in one of those consent application cases (Cal. No. 31742).

These recommendations are made following the review of 78 cases involving twenty-five registered professional nurses, nine licensed practical nurses, six licensed practical nurses who are also registered professional nurses, four certified public accountants, three pharmacists, two chiropractors, two licensed master social workers, two licensed master social workers who are also licensed clinical social workers, two registered professional nurses who are also nurse practitioners (Psychiatry), one architect, one dentist, one land surveyor, one licensed clinical social worker, one massage therapist, one midwife, one physical therapist assistant who is also a physical therapist, one podiatrist, one registered dental assistant, one registered professional nurse who is also a nurse practitioner (Family Health), and one respiratory therapist.

Restorations

Your Committee recommends the following:

That the application of James D'Arrigo for the restoration of his license to practice as a Physician in New York State be denied at this time. [PPC EXS (A) 4]

That the application of Raymond D. Reiter for the restoration of his license to practice as a Physician in New York State be denied at this time. [PPC EXS (A) 5]

Discussion of the Appointment to the Position of Executive Secretary, State Board for Chiropractic. [PPC EXS (D) 1]

MOTION FOR ACTION BY FULL BOARD

Vice Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on September 14, 2020.

MOVED, that the Committee Report be approved.

Motion by: Regent Susan W. Mittler
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

RESOLUTION

Professional Practice Committee Co-Chairs Regent Wade S. Norwood and Regent James E. Cottrell provided remarks on the passing of Seymour I. Schwartz, M.D. Dr. Schwartz was a longtime University of Rochester physician, surgeon, teacher and author. He was appointed in 2011 as one of the original members of the Regents' Advisory Committee on Long-Term Clinical Clerkships, a position he held until his death (Attachment VIII). The Co-Chairs directed that the Resolution be sent to Dr. David C. Linehan, Chair of Surgery at the University of Rochester Medical Center.

The members of the Board of Regents commemorate and celebrate the life of Seymour I. Schwartz, MD, longtime University of Rochester physician, surgeon, teacher and author, who died August 28, 2020.

Dr. Schwartz was a surgeon of true international renown. He authored the textbook, Schwartz's Principles of Surgery, now in its 11th edition, known around the globe as the preeminent guide to surgical practice. Additionally, he is credited with hundreds of other publications including books and scientific publications. Dr. Schwartz served as president of three surgical societies: The Society of Clinical Surgery, the American Surgical Association, and the American College of Surgeons. He was editor-in-chief of

Contemporary Surgery for 28 years, the Yearbook of Surgery for 22 years, and the Journal of the American College of Surgeons for 10 years. He had honorary membership in many foreign societies, including the Royal College of Surgeons of Edinburgh, Brazilian College of Surgeons, Mexican Association of General Surgery, Colombian Society of Surgery and Ecuadorian Surgical Society, among others.

Dr. Schwartz began his long and distinguished career in 1950 as a resident at the University of Rochester, an affiliation which lasted 70 years. He served as Professor of Surgery, Chair of Surgery, Director of Surgical Research, and, upon retirement, Distinguished Alumni Professor. He attended medical school at Syracuse University and New York University. In 2005, he was appointed provost of American University of Antigua College of Medicine.

Dr. Schwartz was appointed in 2011 as one of the original members of the Regents' Advisory Committee on Long-Term Clinical Clerkships, a position he held until his death. Designated as a physician who is experienced in the evaluation of medical education programs, he was an invaluable contributor to the Regents efforts to develop and carry out regulations regarding the review and approval of medical schools that wish to send students into New York State to complete more than 12 weeks of clinical clerkship.

Later in his career, Dr. Schwartz developed an interest in cartography, eventually resulting in publication of several prominent books on the subject. Additionally, according to the University of Rochester, Dr. Schwartz was deeply interested in the humanities and was committed to capturing the best about the practice of medicine, resulting in a book called "From Medicine to Manuscript," published in 2018, profiling leaders in the practice of medicine.

The life Dr. Seymour I. Schwartz represents among the best of the New York State professions. His contributions stand as a testament to a life of service, healing and education.

BE IT THEREFORE RESOLVED, on this fourteenth day of September, 2020, that the Board of Regents publicly acknowledges the lifelong contributions of Dr. Seymour L. Schwartz to the State of New York and mourn his passing while also celebrating a life dedicated to the profession of medicine and service to society.

MOVED, that the Resolution in honor of Seymour I. Schwartz, M.D. be approved.

Motion by: Regent James E. Cottrell
Seconded by: Regent Wade S. Norwood
Action: Motion carried unanimously.

Vice Chancellor Brown adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Bristol Historical Society	CE	Ontario (Naples)	Merge with “South Bristol Historical Society”, an education corporation, with the “Bristol Historical Society” as the survivor with the new amended name “Bristol Hills Historical Society”.
FACE Foundation	CE	New York (New York)	Amend charter to restate the corporate purposes.
The Lawson Boating Heritage Center on Chautauqua Lake	CE	Chautauqua (Bemus Point)	Extend provisional charter for five years.
Newcomb Historical Museum	CE	Essex (Newcomb)	Grant a provisional charter for five years.
Sankofa N.E.S.T.	CE	Onondaga (Jamesville)	Grant a Regents certificate of incorporation.
The Brooklyn School for Medically Frail Children	P12	Kings (Brooklyn)	Amend provisional charter to change the corporate address and to extend the charter for one year.
The Gateway School of New York	P12	New York (New York)	Merge with “The Gateway Middle School”, an education corporation, and “Friends of the Gateway Schools, Inc.”, a New York NFP corporation with The Gateway School of New York as the survivor with expanded purposes and an effective date of the merger to be January 1, 2021.
Our Kids Place Country Day School	P12	Nassau (Hewlett)	Grant a provisional charter for three years.
Rochester General College of Health Careers	OP	Monroe (Rochester)	Grant a provisional charter for five years.

Appendix II

REGENTS ACTIONS IN 79 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

September 14, 2020

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 18 licenses and 1 license that was originally issued as a certificate, and 58 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 2 restoration petitions.

I. REVOCATION AND SURRENDERS

Massage Therapy

Sut-Ho Leung; Massage Therapist; New Hyde Park, NY 11040; Lic. No. 021030; Cal. No. 32081; Application to surrender license granted. Summary: Licensee did not contest the charge of conduct in the profession which evidences moral unfitness.

Midwifery

Paula Barry; Midwife; Conway, MA 01341-0111; Lic. No. 000596; Cal. No. 32101; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted, in the Commonwealth of Massachusetts, of failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

Nursing

Teddy A. Germain; Licensed Practical Nurse; Amsterdam, NY 12010-2243; Lic. No. 281411; Cal. No. 31657; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Endangering the Welfare of a Child.

Nicole Michelle Clancy; Licensed Practical Nurse; Clifton Park, NY 12065; Lic. No. 329149; Cal. No. 31903; Application to surrender license granted. Summary: Licensee did not contest the charge of medication administration and documentation errors.

Beverly Marie Hoyt a/k/a Beverly Buffaloe; Registered Professional Nurse; Wartburg, TN 37887; Lic. No. 437969; Cal. No. 32095; Application to surrender license granted. Summary: Licensee admitted to charges of administering a controlled substance without a physician's order in the State of California and failing to document administration of medications to patients in the State of California.

Kelli Ann Cox a/k/a Kelli Chiarolanza-Foley; Registered Professional Nurse; Parsippany, NJ 07054; Lic. No. 438595; Cal. No. 32096; Application to surrender license granted. Summary: Licensee did not contest the charge of improperly removing a controlled substance from a hospital in the State of New Jersey; and calling in an unauthorized prescription for a controlled substance in the State of New Jersey.

Leah Heron Bennett a/k/a Leah Bennett Stoddard; Registered Professional Nurse; Salt Lake City, UT 84109-1235; Lic. No. 603974; Cal. No. 32097; Application to surrender license granted. Summary: Licensee admitted to charges of having been impaired by narcotics while working as a professional nurse in the State of Colorado and having failed to appropriately document the administration and waste of narcotic medications in the State of Colorado.

Jacque Bovee; Licensed Practical Nurse, Registered Professional Nurse; Rohnert Park, CA 94928; Lic. Nos. 063839, 275294; Cal. Nos. 32098, 32099; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been convicted of Introducing Adulterated Device Into Interstate Commerce, a misdemeanor.

Paula Barry; Registered Professional Nurse; Conway, MA 01341-0111; Lic. No. 266206; Cal. No. 32100; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted, in the Commonwealth of Massachusetts, of failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

Constance Mary Brown; Registered Professional Nurse; Louisville, CO 80027; Lic. No. 203034; Cal. No. 32111; Application to surrender license granted. Summary: Licensee did not contest the charge of practicing the profession of nursing without an active license in the State of Colorado.

Kathleen Porter-Davis; Licensed Practical Nurse, Registered Professional Nurse; Breesport, NY 14816; Lic. Nos. 182913, 381642; Cal. Nos. 32118, 32119; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated, a felony.

Helen Bain Bartholomee; Registered Professional Nurse; Fredericksburg, TX 78624-2911; Lic. No. 551696; Cal. No. 32136; Application to surrender license granted. Summary: Licensee did not contest the charge of failure to document and failure to administer medication in the State of Texas.

Dakila Ricarte Romano; Registered Professional Nurse; Cedar Grove, NJ 07009; Lic. No. 341585; Cal. No. 32145; Application to surrender license granted. Summary: Licensee did not contest the charge of filling in the blank spaces in a previously created patient record with false information, in the State of New Jersey.

Pharmacy

Alpesh P. Patel; Pharmacist; Elmwood Park, NJ 07407; Lic. No. 048000; Cal. No. 28735; Found guilty of professional misconduct; Penalty: Revocation.

Public Accountancy

William Borden; Certified Public Accountant; Manhasset, NY 11030; Lic. (Cert.) No. 018555; Cal. No. 32137; Application to surrender license (certificate) granted. Summary: Licensee did not contest the charge of failing to complete required continuing education credits.

Paul David Goska; Certified Public Accountant; Schenectady, NY 12301; Lic. No. 064128; Cal. No. 32138; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to complete required continuing education credits.

Social Work

Danielle Rose Allen; Licensed Master Social Worker; Endicott, NY 13760; Lic. No. 100625; Cal. No. 32104; Application to surrender license granted. Summary: Licensee did not contest the charge of practicing the profession with moral unfitness.

Edward William Bottger; Licensed Master Social Worker; Lakewood, OH 44107; Lic. No. 096520; Cal. No. 32159; Application to surrender license granted. Summary: Licensee did not contest the charge of allowing a client to reside with him during treatment and sending emails and text messages to staff members, which included profanity, sexually explicit, racial and threatening commentaries.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Demetrius Manouselis; Architect; East Elmhurst, NY 11369; Lic. No. 026029; Cal. No. 31848; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$5,000 fine.

Chiropractic

Leo A. Kronert; Chiropractor; Ellicottville, NY 14731-1013; Lic. No. 007274; Cal. No. 30965; Found guilty of professional misconduct; Penalty: 1 year actual suspension, 2 years probation to commence upon service of the Order.

Jason Michael Corbett; Chiropractor; Weston, MA 02493; Lic. No. 007682; Cal. No. 31997; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, upon return to practice in the State of New York, 2 years probation.

Dentistry

Laurie Ann Butler; Registered Dental Assistant; Newburgh, NY 12550; Cert. No. 000132; Cal. No. 31816; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Michael F. Sheehan; Dentist; Glens Falls, NY 12801; Lic. No. 024653; Cal. No. 31837; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Engineering, Land Surveying and Geology

David Scott Freeman; Land Surveyor; Glenwood, NY 14069; Lic. No. 050480; Cal. No. 31809; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$5,000 fine.

Nursing

Jennifer Faith Samuel a/k/a Jennifer F. Samuel; Registered Professional Nurse; Brooklyn, NY 11233-3211; Lic. No. 650225; Cal. No. 29079; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$1,000 fine.

Angel R. Saraniero; Licensed Practical Nurse; Rochester, NY 14616; Lic. No. 244402; Cal. No. 30060; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Cynthia L. Varney a/k/a Cynthia Lynn Randolph; Licensed Practical Nurse, Registered Professional Nurse; Queensbury, NY 12804; Lic. Nos. 225610, 461199; Cal. Nos. 30756, 30755; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Amanda Rose Bochniarz; Registered Professional Nurse; Gasport, NY 14067-9426; Lic. No. 608140; Cal. No. 30976; Found guilty of professional misconduct; Penalty: 6 months actual suspension, 18 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Gale A. Iavarone; Registered Professional Nurse; Ovid, NY 14521; Lic. No. 505708; Cal. No. 31266; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 year and until fit to practice, upon return to practice, 2 years probation, \$1,000 fine.

Gerald E. Turk; Registered Professional Nurse, Nurse Practitioner (Psychiatry); Nunda, NY 14517; Lic. No. 322482, Cert. No. 400765; Cal. Nos. 31416, 31415; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$750 fine.

Maryellen Zangrilli; Registered Professional Nurse, Nurse Practitioner (Psychiatry); New Hartford, NY 13413; Lic. No. 604979, Cert. No. 401595; Cal. Nos. 31449, 31450; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Beverly Sammarco Briatico; Registered Professional Nurse; Orchard Park, NY 14127; Lic. No. 485369; Cal. No. 31570; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Sheri Marie Rodriguez a/k/a Sheri Marie Corlew; Licensed Practical Nurse; Watervliet, NY 12189; Lic. No. 285542; Cal. No. 31673; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Brae Lynn Blair; Licensed Practical Nurse; Lake Placid, NY 12946; Lic. No. 297798; Cal. No. 31676; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Tanya Nicole Millar; Licensed Practical Nurse, Registered Professional Nurse; Staten Island, NY 10301; Lic. Nos. 264861, 546396; Cal. Nos. 31692, 31693; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Christopher J. Spiller; Registered Professional Nurse; Olean, NY 14760; Lic. No. 687190; Cal. No. 31694; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until mentally fit to practice, upon return to practice, 2 years probation, \$500 fine.

Catherine Marie Pirro; Licensed Practical Nurse, Registered Professional Nurse; Mineola, NY 11501; Lic. Nos. 251765, 515578; Cal. Nos. 31695, 31696; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$1,500 fine.

Marlo Rene Laws; Registered Professional Nurse; Cambria Heights, NY 11411-1929; Lic. No. 226604; Cal. No. 31742; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation.

Jamie Marie Thomas; Registered Professional Nurse; Kinderhook, NY 12106; Lic. No. 706076; Cal. No. 31750; Application for consent order granted; Penalty agreed upon:

Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Emmanuel G. Okoli a/k/a Emmanuel Okoli; Registered Professional Nurse, Nurse Practitioner (Family Health); Bronx, NY 10466; Lic. No. 620876, Cert. No. 340436; Cal. Nos. 31784, 31785; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Janet Bochnik; Registered Professional Nurse; Fishkill, NY 12524; Lic. No. 475532; Cal. No. 31795; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 1 month and until completion of therapy and treatment and fit to practice, upon return to practice, 2 years probation, \$500 fine.

Mary K. Sullivan-Bryan a/k/a Mary Sullivan-Force; Registered Professional Nurse; Las Vegas, NV 89117; Lic. No. 621057; Cal. No. 31813; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$1,000 fine.

Edward McCormack Molloy; Registered Professional Nurse; Medford, NY 11763; Lic. No. 709109; Cal. No. 31818; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Kacey Colleen Hartfield-Rosati; Registered Professional Nurse; East Islip, NY 11730; Lic. No. 574807; Cal. No. 31823; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Erik Andrew Dumler; Licensed Practical Nurse; Cicero, NY 13039; Lic. No. 306112; Cal. No. 31829; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Jamie Sue Mahoney; Licensed Practical Nurse; Geneva, NY 14456; Lic. No. 301259; Cal. No. 31833; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

John Robert Timmons II; Registered Professional Nurse; Jamaica, NY 11434-4716; Lic. No. 590656; Cal. No. 31839; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$500 fine.

Edgar Edmundo Alvarez; Registered Professional Nurse; Hialeah, FL 33015; Lic. No. 763543; Cal. No. 31841; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Jonivette Ragasa Alambat; Registered Professional Nurse; Rancho Cucamonga, CA 91730; Lic. No. 623481; Cal. No. 31844; Application for consent order granted; Penalty

agreed upon: 2 years stayed suspension, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Weldon Erik Peterson; Registered Professional Nurse; Massena, NY 13662-2147; Lic. No. 621567; Cal. No. 31866; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Marcia Ann Phillips; Licensed Practical Nurse, Registered Professional Nurse; Lake Placid, NY 12946; Lic. Nos. 192577, 418334; Cal. Nos. 31874, 31875; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Alicia Jenice Brissett; Licensed Practical Nurse; Yonkers, NY 10704; Lic. No. 306554; Cal. No. 31882; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Kelley Hope Mugo; Registered Professional Nurse; Elkridge, MD 21075; Lic. No. 766882; Cal. No. 31915; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice in the State of New York, 2 years probation.

Renée L. Pontello; Licensed Practical Nurse; Syracuse, NY 13219; Lic. No. 313140; Cal. No. 31916; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Jessica Lynn McNey; Registered Professional Nurse; Fairport, NY 14450; Lic. No. 612609; Cal. No. 31919; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Brian Navarro Butuyan; Registered Professional Nurse; Pearland, TX 77584; Lic. No. 432873; Cal. No. 32162; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of not less than 6 months and until fit to practice, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Pharmacy

Darlene Ann Dames a/k/a Darlene Ann Hesch; Pharmacist; Troy, NY 12182; Lic. No. 040234; Cal. No. 31674; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Amy Elizabeth Peruvungal; Pharmacist; New Hyde Park, NY 11040; Lic. No. 051685; Cal. No. 31840; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Physical Therapy

Dorothy Gay Lacson a/k/a Dorothy-Gay Lacson a/k/a Dorothy Pana; Physical Therapist Assistant, Physical Therapist; Elmhurst, NY 11373; Cert. No. 006192, Lic. No. 029224; Cal. Nos. 31634, 31635; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$10,000 fine.

Podiatry

Lance Ira Greiff; Podiatrist; Great Neck, NY 11021; Lic. No. 004806; Cal. No. 30286; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$4,000 fine.

Public Accountancy

Angela J. Gentile a/k/a Angela J. Witzke; Certified Public Accountant; Amsterdam, NY 12010-7907; Lic. No. 090311; Cal. No. 29374; Found guilty of professional misconduct; Penalty: 6 months actual suspension, 18 months stayed suspension, \$2,000 fine.

Salvatore J. Armao; Certified Public Accountant; Garden City, NY 11530; Lic. No. 042600; Cal. No. 31826; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$5,000 fine.

Respiratory Therapy

Jeremy M. Bain; Respiratory Therapist; Rome, NY 13442; Lic. No. 006663; Cal. No. 31170; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 4 months and until mentally and physically fit to practice, upon return to practice, 2 years probation.

Social Work

Barry Stephen Schechter; Licensed Master Social Worker, Licensed Clinical Social Worker; Candor, NY 13743; Lic. Nos. 065164, 071382; Cal. Nos. 31440, 31441; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Andrew Walter Drost; Licensed Master Social Worker, Licensed Clinical Social Worker; Northport, NY 11768-3130; Lic. Nos. 088557, 085784; Cal. Nos. 31793, 31794;

Application for consent order granted; Penalty agreed upon: 1 year actual suspension, 1 year stayed suspensions, 2 years probation.

Susan Voss Shanley; Licensed Clinical Social Worker; Saratoga Springs, NY 12866; Lic. No. 047054; Cal. No. 31902; Application for consent order granted; Penalty agreed upon: 4 months actual suspension, 20 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

III. RESTORATIONS

The Board of Regents voted on September 14, 2020 to deny the application for restoration of the physician license of James D'Arrigo, Walden, NY. Dr. D'Arrigo's license was revoked on December 12, 2006.

The Board of Regents voted on September 14, 2020 to deny the application for restoration of the physician license of Raymond Reiter, Franklin Lakes, NJ. Dr. Reiter's license was surrendered on January 21, 2000.



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

**Marge A. Tierney Memorial Scholarship
and
2021 New York State Teacher of the Year**

**Board of Regents Meeting
September 14, 2020**

ATTACHMENT I

Marge A. Tierney Memorial Scholarship

Nia Williams
Bronx, NY

Ms. Williams is a graduate student in the Clinical Rehabilitation Counseling program at Hunter College, The City University of New York. She is also enrolled in the master's degree Disability Studies program at The City University of New York School of Professional Studies.

Ms. Williams plans to obtain a PhD in Clinical Rehabilitation Counseling, where she can provide support for individuals with intellectual and developmental disabilities.



2021 New York State Teacher of the Year Finalist

Sara Bambino

North Syracuse Central School District

Ms. Bambino teaches English classes and an elective course titled *Team Building and Emotional Intelligence*, which she developed herself.

Ms. Bambino is also a teacher leader for her school's Positivity Project club, is on the board for the Special Olympics, and is the co-organizer of both her district's Corporate Challenge team and Breast Cancer walk team.



2021 New York State Teacher of the Year Finalist

James Brown

South Colonie Central School District

Mr. Brown began teaching in 1993 and currently teaches renewable energy to 5th graders and robotics and programming to 6th graders.

Mr. Brown has received numerous awards, including the Distinguished Science Teaching Award and the Presidential Award for Excellence in Mathematics and Science. He has facilitated workshops through graduate level courses and has helped develop and judge national and international STEM competitions and grants.



2021 New York State Teacher of the Year Finalist

Chelsea Dyer

East Greenbush Central School District

Since 2008, Ms. Dyer has shared her enthusiasm for reading, writing, and creative expression with all her students. Her work with the Capital District Writing Project has encouraged her students to value writing in and out of the classroom setting.

Ms. Dyer is also a Student Council adviser and assisted with implementing and sustaining a school-wide Unified Sports program.



2021 New York State Teacher of the Year Finalist

Victoria Gentile

Kings Park Central School District

Since 2002, Ms. Gentile has served as a special educator and behavior specialist. She is a certified special education teacher and licensed behavior analyst.

Ms. Gentile is the author of the district's Applied Behavior Analysis training manual. She has also conducted numerous behavior training sessions, brought in therapy dogs, and worked to create a sensory lab at her school.



2021 New York State Teacher of the Year

Jennifer Wolfe

Oceanside Union Free School District

Ms. Wolfe teaches 9th grade Pre-AP World History and AP Human Geography. She is also the Director of the Long Island National Board Network.

Ms. Wolfe is a National Board-Certified teacher in Adolescent and Young Adult Social Studies and has earned numerous prestigious awards. She also co-created the Long Island Teacher Leadership Powered by *Teach to Lead* Conference bringing together educators to work on special projects for their districts.



ATTACHMENT II



In Recognition of

Sara Bambino

As a Finalist for

**New York State Teacher of the Year
for 2021**

T. Andrew Brown

*Vice Chancellor
New York State Board of Regents*

Elizabeth S. Hakanson

*Member
New York State Board of Regents*

Betty A. Rosa

Interim Commissioner of Education



In Recognition of

James Brown

As a Finalist for

**New York State Teacher of the Year
for 2021**

T. Andrew Brown

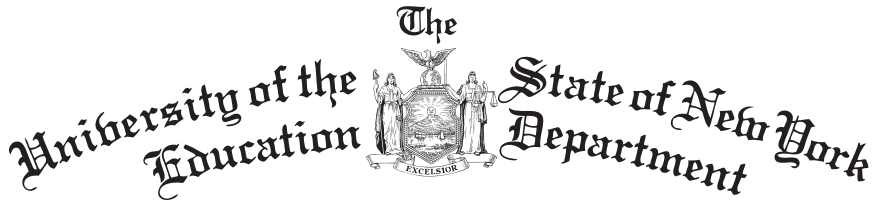
*Vice Chancellor
New York State Board of Regents*

Josephine Victoria Finn

*Member
New York State Board of Regents*

Betty A. Rosa

Interim Commissioner of Education



In Recognition of

Chelsea Dyer

As a Finalist for

**New York State Teacher of the Year
for 2021**

T. Andrew Brown

Vice Chancellor

New York State Board of Regents

Josephine Victoria Finn

Member

New York State Board of Regents

Betty A. Rosa

Interim Commissioner of Education



In Recognition of

Victoria Gentile

As a Finalist for

New York State Teacher of the Year
for 2021

T. Andrew Brown

*Vice Chancellor
New York State Board of Regents*

Roger Tilles

*Member
New York State Board of Regents*

Betty A. Rosa

Interim Commissioner of Education



Be it Known that

Jennifer Wolfe

is hereby proclaimed

**New York State Teacher of the
Year for 2021**

T. Andrew Brown
Vice Chancellor
New York State Board of Regents

Roger Tilles
Member
New York State Board of Regents

Betty A. Rosa
Interim Commissioner of Education

ATTACHMENT III



Recover, Rebuild, and Renew the Spirit of Our Schools

Update on School Reopening: P12 and Higher Education

Presentation to the Board of Regents

September 14, 2020



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Development of the P12 Guidance



Informed by four virtual regional educator and student forums, attended by over 1,000 parents, students, teachers, administrators, and stakeholders, representing New York's diversity.



The Region 2 Comprehensive Center, led by WestEd, provided a synthesis of the information gathered at the 4 Regional Task Force Meetings and the Student Forum.



P-12 program offices worked along with multiple SED program offices to develop draft guidance to best support students and schools.



Guidance is student centered with equity and flexibility at the heart of the guidance.

Guidance Issued

“RECOVERING, REBUILDING, AND RENEWING: THE SPIRIT OF NEW YORK’S SCHOOLS REOPENING GUIDANCE” was released on July 16, 2020.

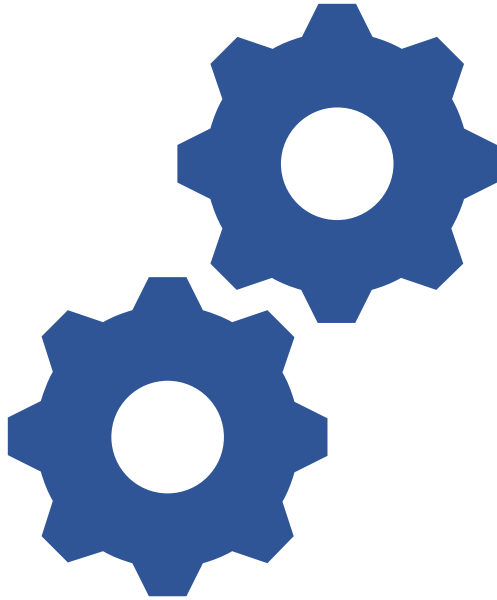


New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity



**RECOVERING, REBUILDING, AND RENEWING:
THE SPIRIT OF NEW YORK’S SCHOOLS**
REOPENING GUIDANCE

Revisions to the Guidance



- P12 Program Offices are developing *“RECOVERING, REBUILDING, AND RENEWING: THE SPIRIT OF NEW YORK’S SCHOOLS REOPENING GUIDANCE: Version 2”*.
- When final, Version 2 will be available on NYSED’s Reopening Guidance website at <http://www.nysed.gov/reopening-schools>
- This document will be updated on a regular basis.

Frequently Asked Questions (FAQs)



- In July, NYSED collaborated with the Governor's Office to issue two FAQs to clarify health and safety issues.
- The P12 Program Areas have developed additional FAQs that will be posted on NYSED's Reopening Guidance website.

Reopening Plan Portal

*100% OF
PLANS
HAVE BEEN
RECEIVED*

BOCES

- 37 BOCES
- 37 Submitted Assurances and Links

Districts/Charters

- 1,029 total entities
- 930 Submitted Assurances and Links
- 99 Never Submitted Assurances and Links (these are the SUNY-authorized Charters)

Links to Plans

- 3,332 school/district/site plan links are posted.
 - This includes BOCES, districts, schools, and charters

Reopening Plan Portal



Special Acts are among the counts of regular districts since they are considered LEAs. There are 9 special acts and all submitted Reopening Surveys.

Non-publics – Submitted

- **1,239 for Religious and Independent Schools**
- **99 state operated**
- **Plus an additional 50 paper submissions**
- **About 492 Religious and Independent Schools not submitted**
- **About 134 Independent Schools not submitted**



SPED Schools - All 853 Schools, 4201 Schools, and 4410 programs submitted Reopening Surveys.

- Both State Operated Schools also submitted.
- We are currently checking to see that all web links are working and all sites associated with these schools are reflected in the plans.

Digital Equity – P12 Data



P12 School Digital Equity Survey - June 2020

- 50% of schools responded
 - 300K+ students did not have a device
 - 200K+ students did not have internet access
 - Top barrier: Cost

Ongoing Data Collection

- Fall 2020 BEDS (School-Level)
- Fall 2021 Student-Level Data

Addressing Digital Equity



Webinar Series

The NY State Library has planned a series of webinars on topics related to Digital Equity.



Digital Equity Summit

NYSED will bring together key stakeholder groups to identify key issues and develop strategies for addressing digital equity in New York.



TRLE Grant

The Teaching in Remote Learning Environments program will provide educators with tools, resources, and training to facilitate blended/remote instruction.



Funding Flexibility

NYSED has issued guidance to schools and districts related to fiscal flexibilities for federal funding sources to assist with technology-related expenses.



Sharing Ideas

NYSED will build on successful Continuity of Learning site to provide ideas, resources, and best practices for teachers, schools, and communities.

Reopening Plans: In-person, Remote, or Hybrid?

- On September 9th, NYSED issued the *2020-21 School Reopening – Instructional Models* survey through the SED Monitoring and Vendor Reporting System (“the Portal”) to collect information about the reopening models that will be deployed at each school/site.
- The survey was published to all BOCES, School Districts, Charter Schools, Special Act Districts, 853 schools, 4201 schools, 4410 programs, and State Operated Schools – more than 1300 entities.
- This short survey will collect the following school/site information:
 - the first calendar day of school for 2020-21;
 - the instructional model (in-person, hybrid, or remote) reflected in the most recent reopening plan that was communicated to parents and other stakeholders; and
 - the planned end date for using a fully remote instructional model, if applicable.

Instructional Model	Count*	Percent
In-Person	996	18.2
Hybrid	3,643	66.7
Remote	826	15.1
Totals	5,465	100

** The count of sites/schools communicated by 940 of 1,305 entities as of September 13, 2020 at 5:00 PM.*



HIGHER EDUCATION

Higher Education Guidance Developed and Released



Informed by **four virtual regional meetings** in early July, attended by almost 900 faculty, administrators, students, staff, and stakeholders, representing more than 170 institutions.



Region 2 Comprehensive Center, led by WestEd, synthesized information gathered at the 4 regional meetings. Additional input was gathered on ThoughtExchange platform.



Higher Ed program offices worked with Office of Professions to **develop guidance** to best support students and institutions.



Equity and flexibility are at the heart of the guidance, which was issued in early August on the Office of Higher Ed website.

Guidance Issued

“Guidance for New York State Colleges and Universities on Reopening for the 2020-21 Academic Year” was released in August 2020.

This document will be updated periodically.



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

GUIDANCE FOR NEW YORK STATE COLLEGES AND UNIVERSITIES ON REOPENING FOR THE 2020-21 ACADEMIC YEAR

NOTE: THIS GUIDANCE IS CURRENT AS OF JULY 31, 2020 AND MAY BE REVISED PERIODICALLY. VISIT THE NEW YORK STATE EDUCATION DEPARTMENT'S [OFFICE OF HIGHER EDUCATION WEBSITE](#) FREQUENTLY TO ENSURE YOU HAVE THE MOST UP-TO-DATE VERSION.

Board of Regents Higher Education Committee Co-Chairs
Kathleen M. Cashin, Regent J.D. #2 & Catherine Collins, Regent J.D. #8



Guidance Highlights

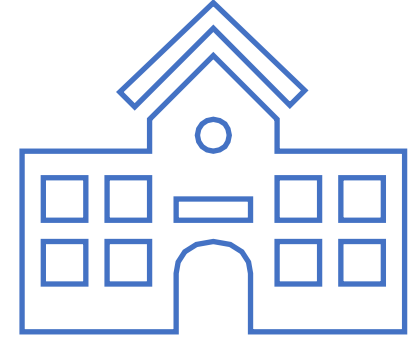
- **Health & Safety:** Colleges were required to file health & safety plans before re-opening. Plans required protocols related to: Re-opening, Monitoring, Containment, Shutdown Contingencies.
- **Academics:** Institutions have flexibility to offer online courses for Fall 2020 semester.
- **Financial Aid:** Institutions may shorten Fall 2020 and Spring 2021 semesters from a minimum of 15 weeks to no less than 12 weeks without impacting student eligibility for NYS financial aid.
- **Educator Preparation Program Clinical Experiences:** Programs may use alternative models which include clinical simulations, analyzing videos of best practice, and assisting cooperating teachers with remote or virtual learning.
- **Professions Clinical Experiences:** Programs may request consideration of flexibilities related to professional licensure clinical experiences, such as extended timelines for completing clinical hour requirements or alternative methods appropriate to the profession (simulation, tele-practice/tele-supervision, etc.). In order to ensure public safety, clinical experiences must be consistent with regulatory standards.

Campus Health and Safety Requirements and Protocols

Health and Safety Requirements	<ul style="list-style-type: none">• All colleges were required to submit re-opening plans to NYSDOH or SUNY/CUNY• Governor set threshold for colleges to return to remote learning for 2 weeks if campus COVID cases reach 100 or 5% of population• Colleges must now report daily campus COVID testing and diagnoses to NYSDOH
Monitoring and Containment	<ul style="list-style-type: none">• Colleges have implemented various screening/testing protocols and timelines• Student Codes of Conduct to guard against outbreaks• PPE and Social Distancing capacity• Contact tracing• Quarantine and Isolation plans• Meal delivery services
Communication and Shutdown contingencies	<ul style="list-style-type: none">• Colleges have developed contingency protocols to shift to remote delivery &/or campus shutdown• COVID Dashboards include information on active cases, quarantine, isolation, student/faculty/staff cases

Recent Executive Order ~ Reporting COVID-19 Cases to NYSDOH

Every higher education institution, including but not limited to community and junior colleges, universities, graduate and professional schools, medical schools, and technical schools, shall report to the Department of Health, on a daily basis, in a form and manner to be determined by the Department, all COVID-19 testing and diagnoses among any on-campus students, teaching staff, and any other employees or volunteers. Such daily report shall include any other data elements as the Commissioner of Health determines to be appropriate to track outbreaks of COVID-19 within such higher education institutions, and provided further, that additional notification to the Department of Health is required once an institution reaches 100 positive cases.



CUNY

- Vast majority of instruction is online
- Some on-campus lab-based courses/activities

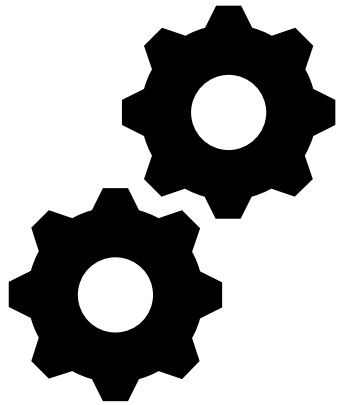
SUNY

- Majority offering hybrid of campus-based, face-to-face and online instruction
- SUNY has announced a systemwide COVID Dashboard which provides daily updates of positive cases across all 64 campuses

Independent/Private

- Majority offering hybrid of campus-based, face-to-face and online instruction
- Approximately 25 institutions are primarily online

FOLLOW-UP TO DATE



CHALLENGES AHEAD

- Department will update guidance based upon feedback from the field and policy and regulatory flexibility updates
- Department is working with stakeholders on current issues related to:
 - Student teaching and clinical experience concerns for educator preparation programs
 - Clinical experience challenges for professional licensure programs
 - Financial and budget related challenges
 - Distance Learning flexibility
 - Digital divide and equity/access
 - Dual enrollment and Opportunity programs challenges



Thank you!

ATTACHMENT IV

COVID-19 Emergency Regulations Part V & Further Regulatory Flexibility for the Reopening of Schools

September 14, 2020



COVID-19 PANDEMIC

- As a result of the pandemic and the Governor's numerous Executive Orders, the Department adopted emergency regulations at the April, May, June, and July 2020 Board of Regents meetings to address the issues resulting from the interruptions caused by the COVID-19 crisis and to plan for the reopening of schools.
- The Department is proposing further regulatory changes to provide additional flexibility to the field and students during this crisis, to address anticipated issues resulting from the continued interruptions caused by the COVID-19 crisis and to prepare for the reopening of schools.

Professions

- **Renewal of Limited Permits for Medical Physics**

Commissioner's regulations are amended to permit the Department, in its discretion, to renew limited permits for medical physics for additional two-year periods beyond the current limit of no more than six years total, for good cause shown, as determined by the Department.

Higher Education

- **Accreditation of Educator Preparation Programs**

- The Commissioner's regulations are amended to provide additional time for institutions of higher education to complete the process for accreditation of their educator preparation programs from the time they notify the Department that they are seeking accreditation from a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education.
- Such institutions would now have six years, instead of five, to complete the accreditation process

Bilingual Education: Seal of Biliteracy

- **Seal of Biliteracy**

- The Commissioner's regulations are amended to provide that students who were unable to take Regents exams due to COVID-19 related cancellations will satisfy criteria for the New York State Seal of Biliteracy (NYSSB) that would have been met by the required June 2020 or August 2020 Regents exam(s), provided that such students have been exempted from the applicable Regents exam(s).

Bilingual Education (Seal of Biliteracy Continued)

- **Seal of Biliteracy**

- Additionally, the Commissioner's regulations are amended to provide that English Language Learners (ELLs) will satisfy criteria for the NYSSB that would have been met by a 2020 NYS English as a Second Language Achievement Test (NYSESLAT) score through a combination of having achieved an English language proficiency level of Transitioning or Expanding on the 2019 NYSESLAT or NYS Identification Test for ELLs (NYSITELL) and who earned credit in a course of study for English as a New Language or Bilingual Education in the 2019-2020 school year.
- This change provides parity for students who would otherwise be disadvantaged to earn the NYSSB due to cancelation of the 2020 NYSESLAT.

Bilingual Education (Seal of Biliteracy Continued)

- **Seal of Biliteracy**

- Finally, the Commissioner's regulations are amended to update the NYSSB's NYSESLAT score requirement. Prior to the 2015-2016 school year, the method of determining a student's English language proficiency level was based on separate proficiency levels for each of the four language modalities. Beginning with the 2016 administration of the NYSESLAT, the method for determining a student's English language proficiency level was changed to be based on a single scale score reflecting English language proficiency overall. The proposed new language will reflect this updated score reporting by allowing students to apply a NYSESLAT scale score of 290 towards the NYSSB. The Department has determined this score to be equivalent to the previous requirement of achieving the commanding proficiency level in two separate modalities.

Bilingual Education: ELL Identification

- **ELL Identification**

- Commissioner's regulations are amended to provide that for the 2020-2021 school year, any parent of a student who attends a school which is operating fully remotely or have opted to have their child receive instruction fully remotely in accordance with the district's reopening plan, and whose child has been provisionally identified as an English Language Learner, may submit a waiver of the administration of the English language proficiency identification assessment.

Bilingual Education (ELL Identification Continued)

- **ELL Identification**

- If a parent submits such waiver, their child will remain initially identified as an ELL for the 2020-2021 school year, unless the school such child attends changes to in-person or hybrid instruction during the school year, or the parent has opted to no longer have their child receive instruction entirely remotely.
- If either situation occurs, the student must be administered the English language proficiency identification assessment within 10 days of such occurrence.



Questions?

ATTACHMENT V



New York State
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Advanced Placement (AP) and International Baccalaureate (IB) Course and Performance Report

Office of Information and Reporting Services (IRS)

September 14, 2020

Rose M. LeRoy, Director of Educational Data and Research

AP and IB Reporting

- Although the greatest care has been taken to ensure that our data are up to date and accurate, the Department is providing these data as is, as the data are believed to be the best available data submitted to the Department by schools and districts in the Student Information and Repository System.
- The Office of Information and Reporting Services (IRS) works with statewide Level 1 regional centers, districts, College Board, and the International Baccalaureate (IB) to facilitate the collection of better data.
- IB course data is based on the number of approved schools by IB. There are fewer IB students than the AP as all IB schools must complete a rigorous approval process.



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Summary of Findings

- Regardless of district community type (e.g. large city, small city) or school district wealth (Needs Resource), more females than males were enrolled in AP courses.
- There were more differences among race and ethnicity groups participation in AP courses, with more Asian students enrolled in AP courses as compared to all race and ethnicity subgroups. The differences in race and ethnicity were not as evident in IB course participation.
- There were fewer economically disadvantaged students in AP and IB courses regardless of district type when compared to the overall population.
- There were fewer Students with Disabilities and ELL students in AP course enrollment when compared to the overall population.

2018-19 AP and IB Report Elements

Data.Nysed.gov

School Data – AP IB
Report

State, District and
School views

Course Participation and
Assessment data

Reported to NYSED by
LEAs

Is an additional effort for
transparent reporting of
educational equity for
our students in New
York State

Used as part of the
calculation of LEAs
College, Career, and
Civic Readiness (CCCR)

Aggregated by grade
level

Filter by student
subgroups

Advanced Placement (AP) and International Baccalaureate (IB) Course Participation Data

AP and IB course participation data are reported to the NYSED Student Information Repository System (SIRS).

Counts are the number of students enrolled in these courses.

Subject Areas are based on the course as contained in the School Codes for the Exchange of Data (SCED codes).



AP and IB Course and Assessment Anomalies

*AP nor IB requires students to sit for courses to participate in an assessment

Counts are based on students enrolled in these courses.

Percentages signify the number of students enrolled in the course as compared to all students enrolled at each grade level

Not all students enrolled in AP or IB courses will take the assessment.*

Advanced Placement (AP) and International Baccalaureate (IB) Assessment Data



AP and IB assessment data are reported to the Student Information and Repository System (SIRS)



The Report provides the count of students who sat for the exam



AP assessments are reported with a score of 3 or higher (generally considered passing)



IB assessments are reported with a score of 4 or higher (generally considered passing).

The New York State Education Department (NYSED) is committed to making data available and easy to use. This site provides a first step in publicly reporting educational data so all interested parties can be better informed as they work to advance student achievement.

Search for specific schools, districts, colleges, universities, counties, or BOCES

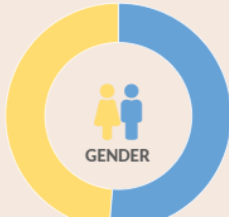
NEW YORK STATE EDUCATION AT A GLANCE



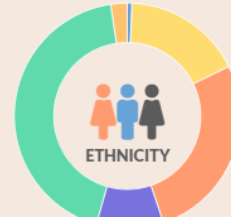
732 Districts
4,422 Public Schools
351 Charter Schools



212,296
Total Public School Teachers



2,598,921
Total K-12 Public School Students
in New York State



NYSED Data Site

NY STATE DATA

2018-19 | 2017-18 | Archive

STUDENT DATA	SCHOOL DATA	HIGHER EDUCATION
Enrollment Data	School Report Card	Enrollment Data
3-8 ELA Assessment Data	High School Graduation Rate	Students with Disabilities Data
3-8 Math Assessment Data	High School Graduation Pathways Data	
English Language Learners Data	Receivership Data	
	AP & IB Report	

Next Steps

1. Obtain approval for a soft-silent embargoed release (school and district has access to review and prepare for stakeholders)
2. Complete a soft-silent public release (public access of statewide, district and school data)
3. Provide opportunities to revisit; examining implications and open conversations at school, district and policy levels.



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2021-2022 Non-State Aid Budget and Legislative Initiatives

Board of Regents Meeting
September 2020

ATTACHMENT VI

Regents Non-State Aid Budget and Legislative Priorities - Process

- **September:**
 - Regents Subcommittee on State Aid reviews proposals advanced the previous year.
- **October:**
 - Relevant Board committees discuss previous Non-State Aid proposals and identify new initiatives for consideration.
- **November:**
 - Updated proposals are brought back to the committees for further consideration.
- **December:**
 - The Board approves proposals to be advanced during the upcoming legislative session.

2020-21 Approach

- **Regents advanced a comprehensive package for:**
 - **P-12**
 - **Higher Education**
 - **Cultural Education**
 - **ACCES**
 - **Professional Practice**
 - **Department-wide**
- **Initiatives would have provided critical resources for:**
 - **English Language Learners**
 - **Students and individuals with disabilities**
 - **Economically disadvantaged teaching candidates and students**
 - **Libraries, museums and the professions**
- **However, only a few of these initiatives were included in the enacted 2020-21 budget.**

2021-22 Approach

In light of the enormity of the state's budget deficit due to the COVID pandemic:

Should the Regents consider developing a more streamlined, targeted set of proposals for 2021-22 that focuses primarily on addressing district and student needs related to the pandemic?

2021-22 Approach

Potential initiatives under this approach could include to:

- **Expand flexibility for school district reserve funds;**
- **Support district fiscal viability through improvements to the district merger process;**
- **Provide aid to school districts to educate students at or over the age of 21 as a result of educational disruptions due to the pandemic;**
- **Change reimbursement rules for transportation and building aids to reflect the unforeseen impact of the pandemic and to assist districts in safely reopening schools;**
- **Provide resources to districts to increase their ability to provide remote education; and**
- **Relieve districts of unfunded, unproductive mandates.**

Next Steps

- **The Board decides whether to advance a more targeted set of proposals for 2021-22 or advance a comprehensive package as in prior years.**
- **Each Board committee begins discussions on proposals to be considered.**



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Thank You



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2020-2021 Division of Budget Financial Plan Update

Board of Regents Meeting
September 2020

ATTACHMENT VII

DOB Revised Projected Budget Gaps

NYS Division of the Budget (DOB) FY 2021 First Quarterly State Budget Financial Plan August Update projects:

- **\$14.5 billion General Fund revenue decline from February forecast**
 - **\$1.2 decline from April revenue estimate**
- **A total loss of \$62 billion through FY 2024 as a direct consequence of the COVID-19 pandemic**

DOB 20% Withholdings

In the absence of Federal action since enactment of the FY 2021 budget:

- **DOB began withholding 20 percent of most local aid payments in June.**
- **All or a portion of these withholdings may be converted to permanent reductions, depending on the size and timing of new Federal aid, if any.**

DOB Aid-to-Localities Reduction Plan

The Updated Financial Plan:

- **Continues to include \$8.2 billion in recurring local aid reductions;**
- **States the earliest DOB expects to transmit a detailed aid-to-localities reduction plan to the Legislature is late in the second quarter of the State's FY 2021; and**
- **States, in the absence of unrestricted Federal aid, DOB will continue to withhold a range of payments through the second quarter of FY 2021.**

Payment Approval Process

- Pursuant to DOB direction, on a weekly basis, the Department submits to DOB lists of critical payments requesting approval to pay.
 - Includes statutorily required state aid payments to districts
- To date, DOB has approved paying:
 - 80% of some pending state-funded and special-revenue funded claims
 - 100% of all pending federally funded claims
- Some pending state-funded and special-revenue funded payments remain on hold.

Payment Approval Process

- Pursuant to DOB direction, the Department must request DOB approval prior to obligating appropriated funds.
- DOB required the Department to notify funding recipients that payment of funds could be reduced by a minimum of 20%.



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Questions?

ATTACHMENT VIII



RESOLUTION IN RECOGNITION OF THE PASSING OF SEYMOUR I. SCHWARTZ, M.D

The members of the Board of Regents commemorate and celebrate the life of Seymour I. Schwartz, MD, longtime University of Rochester physician, surgeon, teacher and author, who died August 28, 2020.

Dr. Schwartz was a surgeon of true international renown. He authored the textbook, Schwartz's Principles of Surgery, now in its 11th edition, known around the globe as the preeminent guide to surgical practice. Additionally, he is credited with hundreds of other publications including books and scientific publications. Dr. Schwartz served as president of three surgical societies: The Society of Clinical Surgery, the American Surgical Association, and the American College of Surgeons. He was editor-in-chief of Contemporary Surgery for 28 years, the Yearbook of Surgery for 22 years, and the Journal of the American College of Surgeons for 10 years. He had honorary membership in many foreign societies, including the Royal College of Surgeons of Edinburgh, Brazilian College of Surgeons, Mexican Association of General Surgery, Colombian Society of Surgery and Ecuadorian Surgical Society, among others.

Dr. Schwartz began his long and distinguished career in 1950 as a resident at the University of Rochester, an affiliation which lasted 70 years. He served as Professor of Surgery, Chair of Surgery, Director of Surgical Research, and, upon retirement, Distinguished Alumni Professor. He attended medical school at Syracuse University and New York University. In 2005, he was appointed provost of American University of Antigua College of Medicine.

Dr. Schwartz was appointed in 2011 as one of the original members of the Regents' Advisory Committee on Long-Term Clinical Clerkships, a position he held until his death. Designated as a physician who is experienced in the evaluation of medical education programs, he was an invaluable contributor to the Regents efforts to develop and carry out regulations regarding the review and approval of medical schools that wish to send students into New York State to complete more than 12 weeks of clinical clerkship.

Later in his career, Dr. Schwartz developed an interest in cartography, eventually resulting in publication of several prominent books on the subject. Additionally, according to the University of Rochester, Dr. Schwartz was deeply interested in the humanities and was committed to capturing the best about the practice of medicine, resulting in a book called "From Medicine to Manuscript," published in 2018, profiling leaders in the practice of medicine.

The life Dr. Seymour I. Schwartz represents among the best of the New York State professions. His contributions stand as a testament to a life of service, healing and education.

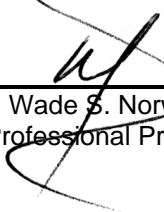
BE IT THEREFORE RESOLVED, on this fourteenth day of September, 2020, that the Board of Regents publicly acknowledges the lifelong contributions of Dr. Seymour L. Schwartz to the State of New York and mourn his passing while also celebrating a life dedicated to the profession of medicine and service to society.



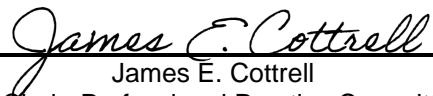
T. Andrew Brown
Vice Chancellor



Betty A. Rosa
Interim Commissioner



Wade S. Norwood
Co-Chair, Professional Practice Committee



James E. Cottrell
Co-Chair, Professional Practice Committee